

Application No.: 09/835046  
Group Art Unit 3713

Docket No.: SCW-003RCE

### REMARKS

#### Claim Rejection Pursuant of 35 U.S.C §112

Applicants have amended claim 14 to address the antecedent basis issue identified by the Examiner.

#### Claim Rejection Pursuant of 35 U.S.C §103(a)

Claims 1, 3-14, 16-17 and 19-20 were rejected by the Examiner in the Office Action of August 12, 2003 as being unpatentable for obviousness over Cannon et al ( U.S. Patent No. 6, 678, 824, hereafter "Cannon") in view of Lotvin et al ( United States Patent No. 5, 907, 831, hereafter "Lotvin"). For the reasons set forth below, Applicants respectfully traverse these rejections.

#### Summary of Claimed Invention

The claimed invention provides a mechanism for the granting of professional continuing education credits in exchange for review of educational content without resorting to conventional testing requirements. Educational data is segmented into educational units forming substantially complete content and presents it as a series of self-contained topics to a user. The user must log in to begin review and log out upon completion. The time period between login and logout is recorded. A minimum and maximum time parameter in which a user is to review the content in exchange for continuing educational credits is provided. The parameters combine with the smaller topics to require the user to actually be present at a remote terminal in order to compile substantial continuing educational credits. The minimum time parameter prevents a user from logging in and then immediately logging out in order to gain credit. The maximum time parameter prevents a user from logging in and wandering off to do something else when the user is supposed to be reviewing the content since exceeding the time parameter disqualifies the user from gaining continuing education credits. Conventionally a test from the continuing education authority or on its behalf had been required in order to ensure review of the material. The present invention avoids the need for a test on the educational content by requiring applicants review the data in smaller segments that satisfy the time parameters.

Application No.: 09/835046  
Group Art Unit 3713

Docket No.: SCW-003RCE

The present invention additionally allows the tying of advertisement units to the educational units. Since the typical user will require multiple educational units in order to amass sufficient continuing education credit, the advertisers are provided with multiple opportunities to present advertisements to the users. The advertisements may be sequential or thematic to take advantage of the captive audience over a certain time period.

Summary of Cannon et al

Cannon discusses an application usage time limiter that monitors pre-configured applications. The usage time limiter runs as a front-end for the programs selected for monitoring or else runs as a separate program interacting with the operating system to limit the usage of specified programs. The invention in Cannon is directed towards allocating time for a user so that in order to execute a specified program, the user must first spend a specified amount of time operating a second program. Cannon discusses the situation where the amount of time a user is permitted to play computer games is limited by the amount of time the user has spent using educational programs. Cannon further discusses the situation where a user is given a credit enabling the user to play a non-beneficial program in exchange for spending a certain minimum amount of time executing an educational program.

Summary of Lotvin et al

Lotvin discusses an educational system whereby parents arrange with third party providers to provide children with access to educational and cultural information. The educational and cultural data is presented to the child who reviews and responds to the data. Upon completion of the review of the data, the child is rewarded with points from the third party provider. The points are funded by the parents through payments to the third party provider and may be redeemed to purchase a variety of items. There is no minimum time parameter associated with the review of data. The terms parent and child are defined broadly so as to include situations where a company presenting information to an employee is included. In all cases, the points/rewards are funded by entities (parents/companies, etc.) associated with the user (child/employee, etc) reviewing the content. No mention is made of granting continuing education credit in exchange for the content review.

Application No.: 09/835046  
Group Art Unit 3713

Docket No.: SCW-003RCE

Argument

The combination of Cannon in view of Lotvin fails to disclose all of the elements of Applicants claims. The claimed invention is designed to allow the conferral of continuing education credit to a user for taking part in remote distance learning. The continuing education credit is conferred by a professional accrediting authority. Each of the independent claims 1, 7, and 14, include these two limitations. The other independent claim, claim 20, includes the continuing education credit limitation without specifying the source of the credit. Lotvin does not teach or suggest the conferral of continuing education credit by a professional accrediting authority. The Examiner has suggested that the limitations are taught or suggested by Cannon. For the reasons set forth below, Applicants respectfully disagree.

Cannon discusses the conferral of a credit to a user who executes a beneficial/educational program which may be redeemed to allow the user to run a non-beneficial program/game (see col. 4, lines 38-42 in Cannon as cited by the Examiner). The credit is not a continuing education credit but rather a credit that allows the user to play a non-beneficial program/game. There is also no suggestion or teaching that the credit is conferred by a professional crediting authority. Since the credit is redeemed by the user to run non-beneficial programs as discussed throughout Cannon, it makes no sense to read the "professional crediting authority" limitation into Cannon. As explained in the Background of Applicant's specification, certain professions have mandatory continuing education requirements for their members, and compliance entities to make sure that the requirements are fulfilled (see page 1, lines 20-22). The conferral of the continuing education credit is most definitely not aimed at allowing a user to play a game. Since the combination of references fails to include all of the elements of independent claims 1, 7, 14 and 20, Applicants respectfully request the withdrawal of the rejections and the allowance of claims 1, 3-14, 16-17 and 19-20.

Claim 18 was rejected by the Examiner in the Office Action of August 12, 2003 as being unpatentable for obviousness over Cannon in view of Lotvin in further view of Sonnenfeld (United States Patent No. 6, 112,049, hereafter "Sonnenfeld"). Sonnenfeld was cited by the Examiner as teaching the use of hyperlinks with educational content. Sonnenfeld does not however, teach or suggest the conferral of continuing education credit conferred by a

Application No.: 09/835046  
Group Art Unit 3713

Docket No.: SCW-003RCE

professional accrediting authority as required by the underlying independent claim 14. As set forth above, neither Cannon nor Lorvin includes the required elements either. Accordingly, since the combination of references fails to teach or suggest all of the limitations of the independent claim 14 upon which claim 18 is dependent, the Applicants request the rejection directed to claim 18 be withdrawn and respectfully suggests that claim 18 is now in condition for allowance.

Application No.: 09/835046  
Group Art Unit 3713

Docket No.: SCW-003RCE

Conclusion

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes a two month extension fee in the amount of \$215.00 is due in connection with this response. Please charge our Deposit Account No. 12-0080, under Order No. SCW-003RCE from which the undersigned is authorized to draw.

Dated: October 5, 2004

Respectfully submitted,

By 

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